

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 775

Introduced by Assembly Member Cook

February 26, 2009

An act to ~~amend Section 17551 of~~ *add Section 17214 to* the Government Code, relating to ~~state mandates~~ *local government finance*.

LEGISLATIVE COUNSEL'S DIGEST

AB 775, as amended, Cook. ~~State mandates.~~ *Local government finance.*

Existing law sets forth the procedures for the sale of registered warrants, including the manner in which interest is fixed for the warrants.

This bill would prohibit the Controller from issuing registered warrants for the payment or repayment for any program performed by any city, county, city and county, or local governmental entity, pursuant to a legal requirement or an agreement with the state.

~~Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates or the Legislature.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17214 is added to the Government Code,
2 to read:

3 17214. The Controller shall not, in any fiscal year, make
4 payment or repayment by registered warrant for any program
5 performed by a city, county, city and county, or other local
6 governmental agency, pursuant to a legal requirement or an
7 agreement with the state.

8 SECTION 1. ~~Section 17551 of the Government Code is~~
9 ~~amended to read:~~

10 ~~17551. (a) The commission, pursuant to the provisions of this~~
11 ~~chapter, shall hear and decide upon a claim by a local agency or~~
12 ~~school district that the local agency or school district is entitled to~~
13 ~~reimbursement by the state for costs mandated by the state as~~
14 ~~required by Section 6 of Article XIII B of the California~~
15 ~~Constitution.~~

16 ~~(b) Except as provided in Sections 17573 and 17574,~~
17 ~~commission review of claims may be had pursuant to subdivision~~
18 ~~(a) only if the test claim is filed within the time limits specified in~~
19 ~~this section.~~

20 ~~(c) Local agency and school district test claims shall be filed~~
21 ~~not later than 12 months following the effective date of a statute~~
22 ~~or executive order, or within 12 months of incurring increased~~
23 ~~costs as a result of a statute or executive order, whichever is later.~~

24 ~~(d) The commission, pursuant to the provisions of this chapter,~~
25 ~~shall hear and decide upon a claim by a local agency or school~~
26 ~~district filed on or after January 1, 1985, that the Controller has~~
27 ~~incorrectly reduced payments to the local agency or school district~~
28 ~~pursuant to paragraph (2) of subdivision (d) of Section 17561.~~